

## TOWN OF MOUNT VERNON ORDINANCE REVIEW COMMITTEE

### MINUTES 1-03 2024 MEETING

Meeting called to order by Chair Roberts at 6:48:pm at the Library. Quorum present: Fred Webber, Ron LaRue, Nona Boyink, Heather Roberts, Quimby Robinson, and Susan Herman. Michele Pino was unable to attend as she is in Sicily.

Also present Select Board Chair Bob Grenier and Select Board members Anna Libby and Carl Rogers.

Minutes of December 6, 2023, 2023, were summarized by Sue Motion made by to approve the minutes, Heather seconded by Nona Minutes approved. 6-0.

Chair Roberts welcomed the Select Board to the meeting.

#### **1. Review any concerns found with Site Plan Review and Individual Private Campsites**

**Definition.** Heather explained that town attorney had identified a concern that the individual private campsite definition in the Mount Vernon LUO was missing language contained in the State Shoreland Zoning Guidelines which permits only one recreational vehicle per campsite. Heather found that the missing language was not in the definition (in Section 3) but was in Section 5(C)(5)(d) (Land Use Standards). The 2009 printed copy of the LUO did contain the language in Section 5C)(5)(b). By looking at the available printed copies of the LUO, the language was either removed by an affirmative vote at town meeting or the language inadvertently omitted from the LUO sometime between 2009 and 2015. Sue volunteered to go to the town hall to look at the town meeting warrant articles to see if there was an amendment removing the language. The consensus was that the removal of the language was likely an error and should be fixed. There was discussion of the possibility of presenting an amendment that would address this issue at a special town meeting. The Select Board indicated that the likely time for a special town meeting would be in March. Sue will report back regarding the town warrant records at the next meeting.

- 2. Town attorney general concerns about Site Plan Review Section of LUO.** Heather also explained that it was hard to nail down the town attorney's more general concerns with the Site Plan Review section of the LUO. The attorney indicated that the applicability section was contradictory with the land use table and that to be more specific would likely take close to a day's worth of time. The consensus of the ORC is that the applicability section of the Site Plan Review section was clear and that absent specific concerns, it would not be appropriate for the ORC to go looking for hypothetical inconsistencies (like looking for a needle in a haystack). Generalized negative statements about the LUO, without offering specific examples, is not helpful to the work of the ORC. The ORC drafts proposed ordinance language for consideration for inclusion in the warrant by the Select Board, and if placed on the warrant, at town meeting, and does not generally review applications for development that are currently pending before the Planning Board or the CEO.

Fred explained that concerns were raised by neighbors of the Travis Mills Foundation Retreat related to night skies, and their concern that the lights from the development would result in the stars not being visible. The issue of the night skies was addressed by the Travis Mills Foundation's agreement to turn down the lights. At the current time, the Travis Mills Foundation proposal has been referred to the CEO to sort through and address the remaining issues. Bob Grenier explained that the CEO had requested a legal opinion from the town attorney in connection with the Travis Mills Foundation application and that is the context of the town attorney's concerns.

The ORC recommends that the town join KVCOG (as requested last year in connection with L.D. 2003 review). We have received constructive and timely feedback from KVCOG regarding the LD 2003 proposals. An advantage of joining KVCOG would be that we would have the ability to request review of draft proposals prior to finalization.

The Select Board indicated that it would work with the town attorney to see if there are specific issues that could be identified, and for the time being, directed that the ORC not pursue further the task of trying to identify the specifics of the town attorney's concerns. The Select Board expressed general support of the ORC and had no additional requests or assignments for this year.

Next year it is anticipated that the ORC will be asked to consider the possibility of adopting a harbormaster ordinance. The Select Board may have a template harbormaster ordinance and if so, will forward it to the ORC.

The Select Board members were thanked for attending the meeting and were encouraged to attend future meetings as appropriate.

Motion to Adjourn made by Fred, seconded by Nona, approved. 6-0 Adjourned at 7:50 p.m.

**NEXT MEETING 2/7/2024 at 6:45 p.m. at the library.**

Respectfully submitted,

Susan Herman, Co-Secretary